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P/C

FamilyStatus

AllCustodians Oliver, Carson

Email From

Email To

Email CC

Email BCC

DateSent

TimeSent

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Filename Prepared at the request of Counsel: 06.13.23 Wisconsin Follow up Notes.pages.pages

Application

Confidentiality_Rcvd CONFIDENTIAL

Production Vol. APL-EG_081

CX-0251.1

PLAINTIFFU.S. District Court - NDCAL
4:20-cv-05640-YGR-TSH
Epic Games, Inc. v Apple Inc.Ex. No. **CX-0251**Date Entered _____
By _____

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6/13 Epic Injunction Next Steps

Key Takeaways

- Present all three options (starting with Option 1: No Commission) to Tim sent over email asap
- Options are:
 - Option 1: Standard commission with -3% discount on cost of payment for transactions that are resulting from a link in-app. We need to come up with a session time (~24-48hrs)
 - Option 2: Variation on option 1 but subscriptions has a different session time. Team to propose session time for subscriptions
 - Option 2: Flat Affiliate Fee per tap (on button/link) with time limit
- Deck changes include:
 - [REDACTED]
 - Option 2: add a visual to demonstrate timeframes for attribution & 24-48 hr window
 - Break Considerations into Pros and Cons on slides
 - Design slides: remove "Any other language options" from slide and change designs to remove anything that's not in the template
 - Finance: Option C: Flat Affiliate Fee Games Pricing - simplify the price to be the same across both apps & Games at \$10. Also show that we're proposing to charge less than the average LTV

Immediate next steps:

- Step 1: Timo/Finance to revise deck with changes and send to the core team + Matt asap
- Step 2: [REDACTED] Attorney Client Privilege
- Step 3: [REDACTED] Attorney Client Privilege
- [REDACTED] Attorney Client Privilege

Notes from meeting:

1. [REDACTED] Attorney Client Privilege
 - We need to send this to Tim ASAP
2. Commission justification & financial options (Timo, Kunnal, Nate)
 - Option 2A: Discounted commission
 - Commission for linking out with cost of payments discount (-3%)
 - [REDACTED]
 - It also has measurement and collection risk
 - There's no timeframe, except for subscriptions
 - Option 2B: Discounted commission with Time Limit
 - -3% Y1, 0% commission in Y2
 - Time counter would start the moment the customer clicks the link out; applied to IAP and subs
 - Proposal: The commission would only be applied to activity from in app to web. Adding a commission on any purchasing after clicking on a link to the dev website. For subs, it drops to 0 after a year
 - Attribution timeframe - 1 year; 24-48 hrs after each tap
 - Recommendation: Any purchase that comes from a link to external web store has a commission/charge. Anything else that happens is not subject to commission.
 - For subs it's for initial transaction we toll the commission

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- Options 2A and 2B are effectively the same, but we only take commission on the first transaction - we need to define what the session length will be
- We need to think through the work arounds that developers will come up with
- Goal is simple, easy to explain to judge, and developers
- Option C: Flat Affiliate fee
 - Flat fee per tap
 - We get paid for the handoff
 - This is way less work b/c we already have the sheet
 - Not sure if it's instrumented? Need eng. to weigh in
 - Consideration: for small devs it's risky for flat fee per tap whereas commission is a shared responsibility.

3. Design updates showing templates for language, button/link, and in-situ (Monika, Joe, Joseph)

- Option 2 Placement - looks good
- Remove "Any other language options" from slide and change designs to remove anything that's not in the template

Pricing - Option C: Flat Affiliate Fee Games Pricing

- Tolled against every click in app
- [REDACTED] Attorney Client Privilege
- Simplify the price to be the same across both apps & Games at \$10
- [REDACTED] Attorney Client Privilege
- [REDACTED] Attorney Client Privilege
- Average week 1 LTV and we cut it in half; that's what we're charging
- Average is the mean
- We need device ID or Apple ID